



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Wesley Walters,  
Supervisor Food Service Area  
Operations (PS5225E), Department  
of Military and Veterans Affairs

Examination Appeal

CSC Docket Nos. 2018-1692

**ISSUED: APRIL 2, 2018 (SLK)**

Wesley Walters appeals the determination of the Division of Agency Services (Agency Services) that he did not meet the experience requirements for the promotional examination for Supervisor Food Service Area Operations (PS5225E), Department of Military and Veterans Affairs.

The examination at issue was announced with specific requirements that had to be met as of the July 21, 2017 closing date. The requirements were completion of the working test period in either the Senior Food Service Handler or Senior Food Service Worker title and two years of experience in general kitchen work including the preparation of light meals. A total of two employees applied for the subject examination which resulted in a list of one eligible with an expiration date of November 22, 2020. Certification PS171960 was issued containing the name of the one eligible who was appointed.

On his application, the appellant indicated that, while working for New Jersey Veterans Memorial Home Paramus, he was provisionally serving in the subject title from April 2017 to the July 21, 2017 closing date and a Senior Food Service Worker – 12 months from March 2016 to April 2017. Personnel records indicate that the appellant, while working for North Jersey Developmental Center, served as a Senior Food Service Handler from December 2013 to June 2014, a Senior Food Service Worker – 12 months from December 2012 to December 2013, and a Food Services AFSCME from October 2011 to December 2012. Agency Services indicated that it contacted the appellant for clarification of his experience

but he did not respond. Thus, it credited the appellant for possessing one year and five months of experience based on his work for New Jersey Veterans Memorial Home Paramus and he lacked seven months of experience.

On appeal, the appellant indicates that he mistakenly forgot to indicate on his application his experience with North Jersey Developmental Center and he thought that this experience would be automatically considered based on his social security number.

## CONCLUSION

*N.J.A.C.* 4A:4-2.6(a) provides that applicants shall meet all requirements specified in the promotional announcement by the closing date. *N.J.A.C.* 4A:4-2.1(f) provides that an applicant may amend a previously submitted application only prior to the announced closing date. *N.J.A.C.* 4A:1-1.2(c) states that the Civil Service Commission (Commission) may relax a rule for good cause in order to effectuate the purposes of Title 11A, New Jersey Statutes.

Initially, it is noted that Agency Services correctly determined that the appellant was not eligible for the subject examination as the appellant did not list his experience with North Jersey Developmental Center and therefore lacked the required experience on his application. The importance of submitting a properly completed application that includes all of the necessary information cannot be overstated, since a complete application provides the only reliable barometer by which Agency Services can make the initial determination whether to admit or reject an applicant. Agency Services has no other tool to rely on in order to make this important initial assessment in an expeditious, fair and efficient manner.

*N.J.A.C.* 4A:4-2.1(f) proscribes the amendment of an application after the closing date. While the Commission notes several circumstances present that provide good cause to permit the appellant to amend his application in this particular matter, it will decline to do so since the appellant was contacted by Agency Services prior to his rejection and did not respond. Nevertheless, the list is incomplete as there are currently no eligibles on the list. Additionally, the appellant continues to serve provisionally in the subject title for New Jersey Veterans Memorial Home Paramus and has accrued sufficient additional experience since that time. The Commission notes that the dual purpose of the Civil Service system is to ensure efficient public service for State and local governments and to provide appointment and advancement opportunities to Civil Service employees based on their merit and abilities. These interests are best served when more, rather than fewer, individuals are presented with employment opportunities. See *Communications Workers of America v. New Jersey Department of Personnel*, 154 *N.J.* 121 (1998). In this regard, the Commission finds that good cause has been

presented to relax the provisions of *N.J.A.C.* 4A:4-2.6(a) and accept the appellant's experience gained after the closing date and admit him to the subject examination.

The Commission cautions the appellant that, in the future, he should ensure that any applications are fully and completely filled out as his failure to do so will be cause for rejection from the selection process. Finally, this determination is limited to the instant matter and does not provide precedent in any other matter.

**ORDER**

Therefore, it is ordered that the appeal be granted and the appellant's application be processed for prospective employment opportunities only.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 27<sup>th</sup> DAY OF MARCH, 2018



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